

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ken Gary Pomaranski, et al.

Confirmation No.:

Application No.: 10/764,198

Examiner:

Filing Date: Jan. 23, 2004

Group Art Unit:

Title: Multi-State Status Reporting for High-Availability Cluster Nodes

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ( ) under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97 (c) together with either a:  
(X) Statement under 37 CFR 1.97(e), or  
( ) a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ( ) under 37 CFR 1.97 (d) together with a:  
( ) Statement under 37 CFR 1.97(e)(1) or (2), and  
( ) a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

(X) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

- (X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: April 20, 2005  
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- ( ) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number \_\_\_\_\_ on \_\_\_\_\_  
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Typed Name: James K. Okamoto

Signature: *James K. Okamoto*

Respectfully submitted,

Ken Gary Pomaranski, et al.

By *James K. Okamoto*

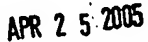
James K. Okamoto

Attorney/Agent for Applicant(s)

Reg. No. **40,110**

Date: **April 20, 2005**

Telephone No.: **(408) 436-2110**



Approved for use through 07/31/2006. OMB 0651-0031

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**Complete if Known**

Application Number

10/764,198

Filing Date

January 23, 2004

First Named Inventor

**Ken Gary Pomaranski**

*Art Unit*

**Examiner Name**

Sheet

1

of

2

Attorney Docket Number

200312917-1

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| FOREIGN PATENT DOCUMENTS |                          |   |                                   |   |   |                |
|--------------------------|--------------------------|---|-----------------------------------|---|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns,<br>Lines, Where<br>Relevant Passages or<br>Relevant Figures<br>Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                   |   |   |                |
|                          | 1E                       | EP 0510822 A2   | 10-28-1992                        | Texas Instruments<br>Inc.                             |   |                |
|                          | 1F                       | GB 2062314 A  | 05-20-1981                        | Honeywell, Inc.                                       |   |                |
|                          | 1G                       | JP 9116564 A  | 05-02-1997                        | Sumitomo Electric<br>Industries                       |   |                |
|                          | 1H                       | DE 10155486 A1  | 05-28-2003                        | Systemonic AG   |   |                |
|                          |                          |   |                                   |   |   |                |
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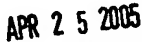
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Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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| <i>Application Number</i> | 10/764,198 |
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| First Named Inventor | Ken Gary Pomaranski |
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**Art Unit**

Examiner Name \_\_\_\_\_

|                        |             |
|------------------------|-------------|
| Attorney Docket Number | 200312917-1 |
|------------------------|-------------|

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Signature

Date  
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Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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